IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 7395 of 2007

DATED: 23.4.2007

Between:

Thamatapu Jyothi & ors petitioners

And

The Government of A.P.
Rep by its Principal Secretary,
Educational Department,
Secretariat, Hyderabad & another Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 7395 OF 2007

ORAL ORDER:

This writ petition is filed questioning the show cause notice dated 29.3.2007 calling upon the petitioners to submit their explanation as to why action should not be taken for producing bogus disability certificates.

The petitioners were appointed as Secondary Grade Teaches (Telugu) under the Physically Handicapped quota on 8.2.2002, 20.1.2002, 17.10.2002 and 28.11.2005 respectively. One K.Padmavathi filed W.P. No. 6760 of 2006 seeking a direction to the respondents therein to send all the female candidates who applied for S.G.T (Telugu) posts under the Physically Handicapped Hearing Impairment (Deaf) category to Medical Board for examination. The Division Bench of this Court by order dated 22nd August, 2006 allowed the writ petition. In pursuance of the said directions, the petitioners who were appointed during D.S.C 2001 to 2005 were issued with the impugned show cause notices. Questioning the said show cause notices the present writ petition is filed.

Learned counsel for petitioners submitted that the District Educational Officer, is not competent authority and does not have powers to issue the impugned notice dated 29.3.2007. It is further submitted that petitioners do not have the full particulars with regard to the candidates selected under the P.H.C quota and in the absence of such details they cannot submit effective reply to the show cause

notice.

On the other hand, learned Government Pleader for Education submitted that in pursuance of the directions of the Division Bench of this Court, the impugned show cause notices were issued to the petitioners and petitioners instead of submitted their explanations, rushed to this Court and the writ petition is not maintainable.

Heard the learned counsel for petitioners and learned Government Pleader for Education. Both counsel agreed for disposal of the writ petition at the admission stage.

The present writ petition is filed questioning the show cause notice issued by the District Educational Officer, calling for explanation from the petitioners as to why action should not be taken against them for production of bogus disability certificates. Since, it is only a show cause notice, the petitioners can submit their explanation raising all the contentions in support of their claim. Hence, this Court does not see any reason to interfere in the matter. However, the petitioners are permitted to submit their explanations to the show cause notice dated 29.3.2007 within a period of three weeks from the date of receipt of copy of this order. On filing such explanations, the respondents are at liberty to consider the same and pass appropriate orders in accordance with law, expeditiously. Till such time, the respondents are directed to continue the petitioners in service.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATE: 23.4.2007
TVK

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